

EV600105529US

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 03220 0042 U.S. AP# <b>01578823</b> (1.5)
<b>INTERNATIONAL APPLICATION NO.</b> PCT/US2004/037456	<b>INTERNATIONAL FILING DATE</b> November 10, 2004	<b>PRIORITY DATE CLAIMED</b> November 10, 2003
<b>TITLE OF INVENTION</b> Method to Control Ventricular Rate in Atrial Fibrillation Patients		
<b>APPLICANT(S) FOR DO/EO/US</b> Tudor N. Mazgalev, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.55) <b>10/578823</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2004/037456</b>		ATTORNEY'S DOCKET NUMBER <b>03220.0013-US-WO</b>	
20. Other items or information: <b>Certificate of Express Mailing; Return Receipt Postcard</b>					
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				<b>\$ 300</b>	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				<b>\$ 200</b>	
All other situations.....\$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				<b>\$ 100</b>	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations.....\$500					
<b>TOTAL OF 21, 22 and 23 =</b>				<b>600</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	<b>\$</b>	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				<b>\$ 130</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	<b>\$</b>	
Total claims	<b>30</b> - 20 =	<b>10</b>	x \$ 50	<b>\$ 500</b>	
Independent claims	<b>2</b> - 3 =	<b>0</b>	x \$200	<b>\$ 0</b>	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	<b>\$</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,230</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$ 1,230</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,230</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<b>\$</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,230</b>	
				<b>Amount to be refunded:</b>	<b>\$</b>
				<b>Amount to be charged</b>	<b>\$</b>

10/578823

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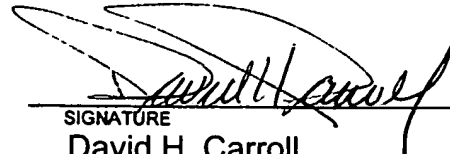
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- 1AP20 Rec'd PCT/PTO 09 MAY 2006
- a. ☒ A check in the amount of \$ 1,230 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1038. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Altera Law Group, LLC  
6500 City West Parkway  
Suite 100  
Minneapolis, MN 55344

  
SIGNATURE  
David H. Carroll  
NAME  
29,903  
REGISTRATION NUMBER

823

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# TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

Express Mail mailing number: EV 374589582 US

Date of deposit: 10 November 2004

File reference no.: 501110.20514

International application no. (if known):

Title of the invention: METHOD TO CONTROL VENTRICULAR RATE IN ATRIAL FIBRILLATION PATIENTS

Earliest priority date claimed (Day/Month/Year): 10 November 2003

☒ This is a new International Application

## SCREENING DISCLOSURE INFORMATION:

In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (check as many boxes as apply):

☐ The invention disclosed was not made in the United States of America.

☐ There is no prior U.S. application relating to this invention.

☒ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on the Request (form PCT/RO/101) and this listing does not constitute a claim for priority.)

application no.	60/519,082	filed on	10 November 2003
application no.		filed on	

☐ The present international application contains additional subject matter not found in the prior U.S. application(s) identified above. The additional subject matter is found on pages \_\_\_\_\_ and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 C.F.R. 5.15.

## Itemized list of contents

Sheets of Request form: 5

Sheets of description (excluding sequence listing): 15

Sheets of claims: 4

Sheets of abstract: 1

Sheets of drawings: 0

Sheets of sequence listing:

Sequence listing diskette/CD:

Tables related to sequence listing CD:

Fee Calculation Sheet,

Check no.: \_\_\_\_\_ in the amount of \$2454.00

Return receipt postcard: Attached

Power of attorney: Attached (2)

Certified copy of priority document (specify):

Other (specify):

- Express Mail Certificate
- Acknowledgement postcard

The person signing this form is:

☐ Applicant

☒ Attorney/Agent (Reg. No.)  
Registration No. 26,723

☐ Common Representative

William H. Dippert

Name of person signing Registration No. 26,723

Signature

*William H. Dippert*

This collection of information is required by 37 CFR 1.10 and 1.412. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/578823

1AP20 Rec'd PCT/PTO 09 MAY 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tudor N. Mazgalev, et al.      Docket No.: 03220.0013-US-WO  
Serial No.: To Be Assigned  
Filed: May 9, 2006  
Title: Method to Control Ventricular Rate in Atrial Fibrillation Patients

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CERTIFICATE UNDER 37 C.F.R. 1.10:

'Express Mail' mailing number: EV 600 105 529 US

Date of Deposit: May 9, 2006

The undersigned hereby certifies that this Transmittal Letter and the paper or fee, as described herein, are being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

David H. Carroll

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

- ☒ This Certificate of Express Mailing (1 page)
- ☒ Return postcard (1 item)
- ☒ Check in the amount of \$1,230.00 for Filing Fees (1 item)
- ☒ Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371 (in duplicate) (6 pages)
- ☒ Other: Courtesy Copy of International Application PCT/US2004/037456) (30 pages)

Respectfully submitted,

Altera Law Group, LLC  
Customer No. 22865

Date: May 9, 2006

By: 

David H. Carroll  
Reg. No. 29903  
DHC/mar

80/578823  
AP20 Rec'd PCT/PTO 09 MAY 2006

PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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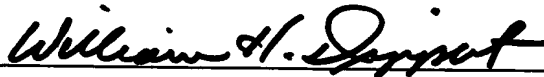
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on November 10, 2004

Date

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Reed Smith LLP  
599 Lexington Avenue  
29th Floor  
New York, New York 10022-7650  
Telephone: 212-521-5400; Facsimile: 212-521-5450

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Applicant: Symphony Medical, Inc./Todor N. Mazgalev et al.  
Serial No: To Be Assigned  
Filing Date: 10 November 2004, herewith  
For: Method To Control Ventricular Rate In Atrial Fibrillation Patients  
Enclosures: (1) Transmittal Letter To The United States Receiving Office (1 page) (2) PCT Request (5 pages); (3) PCT Fee Calculation Sheet (1 page) w/fee check in the amount of \$2454.00; (4) UNExecuted PCT POA forms (2 pages); (5) Specification, Claims & Abstract (20 pages); (6) Acknowledgement Postcard.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.